

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2011-____-C

IN RE:)	
Petition of the Office of Regulatory Staff)	
for Commission to Order a Rule To Show)	PETITION OF THE OFFICE OF
Cause as to Why the Certificates of)	REGULATORY STAFF FOR A
Public Convenience and Necessity for)	RULE TO SHOW CAUSE
Certain Providers of Telecommunications)	
Services Should Not Be Revoked)	

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission that:

1. The Public Service Commission of South Carolina (“the Commission”) is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina. Further, the Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2010).

2. The Office of Regulatory Staff (“ORS”) is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §58-4-10, et seq. (Supp. 2010).

3. The Telecommunications Companies (“Companies”) listed in Exhibit A are certificated “telephone utilities” as defined in S.C. Code Ann. §58-9-10(6) (1976) in that they are persons or corporations, their lessees, assignees, trustees, receivers or other successors in interest owning or operating in this State equipment or facilities for the transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones.

4. The Companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (Supp. 2010). Further, they have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A.

5. The Telecommunications Companies listed in Exhibit A, upon receiving their Certificates of Public Convenience and Necessity, were found to possess the technical, financial, and managerial resources sufficient to provide the services requested. S.C. Code Ann. § 58-9-280(B)(1) (Supp. 2010).

6. Pursuant to S.C. Code Ann. §§ 58-3-100, 58-3-540; 58-4-60; and 58-9-370 (Supp. 2010), the public utilities subject to the Commission's jurisdiction are assessed by the Department of Revenue based on amounts that are certified by the Commission, the review committee, and ORS to be assessed. ORS may require reports and special reports concerning any matter about which the ORS is authorized to inquire or keep itself informed or which it is required to enforce.

7. The Companies listed in Exhibit A have failed to submit the requisite gross receipts filings. ORS has made attempts to contact these companies to obtain the gross receipts forms.

8. The information for the business entities listed in Exhibit A accurately reflects the information on file with the South Carolina Secretary of State. See Exhibit B, Affidavit of Dawn Hipp.

9. "Each telephone utility shall obey and comply with each and every requirement of every order, decision, direction, rule or regulation made or prescribed by the Commission and every direction, rule or regulation made or prescribed by the Office of Regulatory Staff in the

performance ... or in relation to any other matter in any way relating to or affecting the business of such telephone utility and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, direction, rule or regulation by all of its officers, agents and employees.” S.C. Code Ann. § 58-9-390 (Supp. 2010).

10. Pursuant to S.C. Code Ann. §58-9-1120 (Supp. 2010), “the Commission may ... conduct such other hearings as may be required in the administration of the powers and duties conferred by Articles 1 through 13 of this chapter and by other laws relating to telephone utilities.”

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Enter an order establishing a Rule to Show Cause instituting a formal proceeding against the persons and business entities listed in Exhibit A.

2. For the persons and business entities listed in Exhibit A, pursuant to 26 S.C. Code Regs. 103-830, cause a copy of this petition to be served upon such named respondents or other proper person or entity.

3. Require the parties to submit an Answer to this Petition within the deadlines prescribed by the Commission’s rules and regulations.

4. Schedule and conduct a formal administrative hearing to address disputed issues of fact and law regarding the Certificate pursuant to S.C. Code Ann. §58-9-820 (Supp. 2010).

5. Find that the Companies listed in Exhibit A have not complied with orders, decisions, directions, rules and regulations made or prescribed by the Commission.

6. Enter a final order canceling the Certificates held by the Companies listed in Exhibit A.

7. Take other appropriate action which the Commission may deem necessary.

Shealy Boland Reibold
C. Lessie Hammonds, Esquire
Shealy Boland Reibold, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
Telephone: (803) 737-0800
Fax: (803) 737-0895

March 23, 2011
Columbia, South Carolina

Exhibit A
Docket No. 2011- -C
Rule to Show Cause Telecommunications Carriers Non-Compliant with Gross Receipts Filing 2010

March 23, 2011

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order #	Date Certified	Secretary of State Standing
1	Telmex USA, LLC		IXC	1130 University Blvd, Ste B9, #253	Tuscaloosa	AL	35401-0328	2005-365-C	2006-435	7/26/2006	Good Standing
2	Tennessee Telephone Service, LLC	Freedom Communications USA, LLC	CLEC	3483 Satellite Blvd, Ste 202	Duluth	GA	30096-5800	2004-211-C	2004-567	2/15/2004	Good Standing
3	5 Sons International		PSP	3111 Benefit Road	Chesapeake	VA	23322	1985-150-C	1999-416	6/14/1999	None
4	A.E. Payphone Services fka American Electronics Ltd		PSP	PO Box 295	Ware Shoals	SC	29692	1985-150-C	1989-344	3/29/1989	None
5	ASP Communications		PSP	PO Box 581	Commerce	GA	30529	1985-150-C	2003-568	9/17/2003	None
6	Cen-Tex Pay Telephone Co.		PSP	101 Sterling Browning	San Antonio	TX	78232	1985-150-C	2003-417	6/19/2003	None
7	CHR Services, Inc.		PSP	2146 Slagles Lake Rd	Emporia	VA	23847	1985-150-C	2009-598	9/2/2009	Good Standing
8	Fred D. Moore		PSP	515 Russell Road	Hartsville	SC	29550	1985-150-C	1991-526	6/20/1991	None
9	Garvin Oil Company, Inc.		PSP	PO Box 1249	Wagener	SC	29164-1249	1985-150-C	1996-29	1/10/1996	Good Standing
10	Kenneth J. Moorehead	Ken Moorehead Oil, Inc.	PSP	820 South Main Street	Anderson	SC	29621	1985-150-C	1986-345	3/27/1986	None
11	Ljam, Inc.		PSP	1119 Charleston Hwy	West Columbia	SC	29169	1985-150-C	1997-174	3/6/1997	Good Standing
12	Melanie H. Hodgins		PSP	141 W Ballpark Rd	Gaston	SC	29053	1985-150-C	1997-341	4/24/1997	None
13	Metrotel, Inc.		PSP	PO Box 13363	Anderson	SC	29624	1985-150-C	2000-8	1/4/2000	Good Standing
14	MetroTel, Inc.		PSP	1856 Corporate Dr, Ste 150	Atlanta	GA	30093	1985-150-C	1995-1688	1/4/2000	Forfeiture
15	Milton T. Gibson	CTS Communications, Inc.	PSP	PMB 178 8318-708 Pineville-Matthews Rd.	Charlotte	NC	28226	1985-150-C	1989-1082	11/22/1989	None
16	Payphone Manager, Inc.		PSP	PO Box 185	Bronx	NY	10461	1985-150-C	2010-282	4/6/2010	Good Standing
17	Payphone Partners, Inc.		PSP	2520 Sardis Rd N, Ste 100	Charlotte	NC	28227	1985-150-C	1999-586	8/19/1999	Good Standing
18	River Bottom Farms, Inc.		PSP	357 Cedar Creek Rd.	Swansea	SC	29160	1985-150-C	2002-206	3/20/2002	Dissolved
19	Sterling Payphones, LLC		PSP	PO Box 185	Bronx	NY	10461	1985-150-C	2007-800	11/2/2007	Good Standing
20	STS Networking Systems, Inc. D/B/A Scott Communications		PSP	PMB178 8318 Pineville-Matthews Rd.	Charlotte	NC	28226	1985-150-C	1989-1081	11/22/1989	Good Standing
21	The Fone Connection of Tampa Bay, Inc.		PSP	2011 Cleveland St. Ste. A	Tampa	FL	33606-1756	1985-150-C	2000-576	7/14/2000	None
22	Tommy Condon		PSP	160 Church St	Charleston	SC	29401	1985-150-C	1986-642	6/18/1986	None

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2011-__-C

March 22, 2011

IN RE: Petition of the Office of Regulatory)	
Staff for Commission to Order a)	
Rule to Show Cause as to Why The)	
Certificates of Public Convenience)	AFFIDAVIT OF
and Necessity for Certain)	DAWN M. HIPPI
Providers of Telecommunications)	
Services Should Not be Revoked)	

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Dawn Hipp and I am employed by the Office of Regulatory Staff ("ORS") as the Director of Telecommunications, Transportation, Water and Wastewater.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) It is the regular business practice of ORS to maintain certain business records required to be filed by telecommunications carriers that are subject to the jurisdiction of the PSC.
- 4) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 5) On March 22, 2011, I examined the business records on file with ORS.
- 6) As a result of that examination, I attest that the Gross Receipts Forms have not been filed with ORS by the following telecommunications carriers as of March 22, 2011: (Exhibit A)

EXHIBIT B

- 7) I and/or personnel under my direction researched the South Carolina Secretary of State's website in order to determine the corporate status of the business entities listed in Exhibit A of this petition. I attest that, to the best of my knowledge, the corporate statuses of the business entities listed in Exhibit A are accurate.

AND FURTHER THE AFFIANT SAYETH NOT.



DAWN M. HIPPI

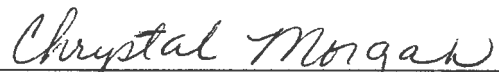
Director

Office of Regulatory Staff

1401 Main Street, Suite 900

Columbia, South Carolina 29201

Sworn and subscribed before me
this 22nd day of March, 2011



Notary Public for South Carolina
My Commission Expires: 9/22/2014

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2011- _____ - C

IN RE: Petition of the Office of Regulatory Staff for)
Commission to Order a Rule To Show)
Cause as to Why The Certificates of Public) **CERTIFICATE OF SERVICE**
Convenience and Necessity for Certain)
Providers of Telecommunications Services)
Should Not Be Revoked)

This is to certify that I, Chrystal L. Morgan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION OF THE OFFICE OF REGULATORY STAFF FOR A RULE TO SHOW CAUSE AS TO WHY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY SHOULD NOT BE REVOKED** in the above-referenced matter to the person(s) named on the attached service list by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown in the attached list:

Chrystal L. Morgan

March 23, 2011
Columbia, South Carolina

Telmex USA, LLC 1130 University Blvd, Ste B9, #253 Tuscaloosa, AL 35401-0328	Tennessee Telephone Service, LLC Freedom Communications USA, LLC 3483 Satellite Blvd, Ste 202 Duluth, GA 30096-5800	5 Sons International 3111 Benefit Road Chesapeake, VA 23322
A.E. Payphone Services fka American Electronics, Ltd PO Box 295 Ware Shoals, SC 29692	ASP Communications PO Box 581 Commerce, GA 30529	Cen-Tex Pay Telephone Co. 101 Sterling Browning San Antonio, TX 78232
CHR Services, Inc. 2146 Slagles Lake Rd Emporia, VA 23847	Fred D. Moore 515 Russell Road Hartsville, SC 29550	Garvin Oil Company, Inc. PO Box 1249 Wagener, SC 29164-1249
Kenneth J. Moorehead Ken Moorehead Oil, Inc. 820 South Main Street Anderson, SC 29621	Ljam, Inc. 1119 Charleston Hwy West Columbia, SC 29169	Melanie H. Hodgins 141 W Ballpark Rd Gaston, SC 29053
Metrotel, Inc. PO Box 13363 Anderson, SC 29624	MetroTel, Inc. 1856 Corporate Dr, Ste 150 Atlanta, GA 30093	Milton T. Gibson CTS Communications, Inc. PMB 178 8318-708 Pineville- Matthews Rd. Charlotte, NC 28226
Payphone Manager, Inc. PO Box 185 Bronx, NY 10461	Payphone Partners, Inc. 2520 Sardis Rd N, Ste 100 Charlotte, NC 28227	River Bottom Farms, Inc. 357 Cedar Creek Rd. Swansea, SC 29160
Sterling Payphones, LLC PO Box 185 Bronx, NY 10461	STS Networking Systems, Inc. D/B/A Scott Communications PMB178 8318 Pineville-Matthews Rd. Charlotte, NC 28226	The Fone Connection of Tampa Bay, Inc. 2011 Cleveland St. Ste. A Tampa, FL 33606-1756
Tommy Condon 160 Church St Charleston, SC 29401		